IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.560 OF 2004

Ramchandra Shivram Kadam — Petitioner
vs.
State of Maharashtra & ors. — Respondents

Mr.V.D.Borwankar for the petitioner.

CORAM : R. M. LODHA &
R. S. MOHITE,JJ.

DATED : 6th May 2005

P.C.

Heard Mr.V.D.Borwankar, the learned counsel for the petitioner.

2. The writ petition can be disposed of at this stage. By order dated 8th July 1999, the Joint Secretary, Government of Maharashtra sent a communication to the Deputy Director of Education, Pune Region, Pune for transferring the management of Walchand Vidyalaya & Junior College, Kalamb, Taluka Indapur, District Pune to Gram Vikas Pratishthan, Kalamb. However, by the subsequent order dated 27th July 1999 the Education Officer (Secondary), Zilla Parishad, Pune wrote to the President/Secretary of Gram Vikas Pratisthan, Kalamb that the transfer of management is stayed until further instructions in view of code of conduct.

3. The petitioner has earlier filed writ petition before this Court being Writ Petition No.6041/2002. By order dated 17th March 2003, the Division Bench allowed the petitioner to withdraw the writ petition with liberty to approach the State Government to make appropriate order in the light of the communication dated 27th July 1999.

4. The petitioner appears to have made the representation to the State Government, Deputy Director of Education and the concerned Education Officer for implementing the earlier direction dated 8th July 1999 for transfer of management of the aforesaid school/Junior College to Gram Vikas Pratisthan. Nothing seems to have been done on the representation made by the petitioner on 2nd April 2003. Constrained thereby the petitioner has approached this court.

5. In what we have observed above, the only direction that can be given to the State Government is to consider the petitioner's representation dated 2nd April 2003 expeditiously and inform the petitioner of its decision.

6. We, accordingly, dispose of this writ petition by the following order:

(i) To avoid the delay in expeditious consideration of the representation dated 2nd April 2003 we directed the petitioner to serve a copy of representation dated 2nd April 2003 upon the Secretary of Education, School Education, State of Maharashtra, Mumbai immediately.

(ii) The Secretary of Education, School Education, State of Maharashtra, Mumbai is directed to consider the petitioner's representation dated 2nd April 2003 as expeditiously as possible and inform the decision taken thereon to the petitioner within three months from the date of the receipt of the copy of the representation.

(iii) The Secretary of Education must indicate the reasons in its order deciding the petitioner's representation dated 2nd April 2003.

(R.M. LODHA,J.)

(R.S. MOHITE,J.)